

REMARKS

Currently pending are claims 1-25. Following entry of this amendment, claims 9 and 22 have been cancelled and new claims 26-29 have been added.

A. Rejections based upon 35 USC § 112

Several rejections based upon inferentially claiming first and second sides have been addressed by positively reciting a body surface proximal side and a body surface distal side, where needed in the claims.

Claims 9 and 22 have been cancelled and claims 15, 17 and 20 have been amended to address the examiners concern regarding what was actually being claimed.

The rejections to claims 23-25 have been addressed by moving some of the subject matter of claim 23 to a new similar independent claim 26 and amending claim 25 to be dependent from claim 26.

B. Rejection based upon 35 USC § 102 in view of Lee, EPO 0 429 842

The examiner asserts that the Lee reference, EPO 0 429 842 anticipates the present invention. The examiner particularly points out that the use of a woven sheet of polypropylene fibers has openings.

It is Applicants' position that the channels that are intertwined and make their way through the woven polypropylene sheet are not openings by any standard use of the term. The woven sheet may permit fluid communication but there generally is no opening as shown in Applicants' Fig. 1, reference number 8.

Far more persuasive though is that the Lee disclosure does not show a connecting medium located on the body surface proximal side of the member. The examiner points out the existence of connecting medium 3 in figure 1 of the Lee reference. As shown in Lee's figure 1, there are the skin needles 4, fixedly mounted in skin needle supporter 5. Drug reservoir 3, referred to the examiner as the connecting medium, is located on the body surface distal side of the skin needle supporter. There is no structure located on the body surface proximal side of the skin needle support 5, said needle support being analogous to Applicants' member.

As all of the elements of Applicants' invention are not disclosed by the cited Lee reference, Applicants respectfully request that the § 102 rejection be withdrawn.

As all rejections put forth by the examiner have been addressed by the amendments to the claims provided herein and by the remarks provided, Applicants respectfully assert that the application is in condition for allowance, notice of which is earnestly solicited.

Respectfully submitted, -

Dated: 17 September 1999

By: 

D. Byron Miller
Registration No. 30,661

ALZA Corporation
950 Page Mill Road
(P.O. Box 10950)
Palo Alto, CA 94303-0802
Telephone: (650) 496-8150 Fax: (650) 496-8048